

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

M CORP DBA 11:59,	:	
	:	Civil Action: 1:24-cv-01823
Plaintiff,	:	
	:	
v.	:	SUPPLEMENTAL CERTIFICATION OF
	:	TIM COLLINSON IN FURTHER
INFINITIVE, INC., JOSEPH	:	SUPPORT OF ORDER TO SHOW CAUSE
BRADLEY SHERIDAN, AND DOES 1-	:	AND TEMPORARY RESTRAINING
25, INCLUSIVE.	:	ORDER
	:	
Defendants.	:	
	:	

I, TIM COLLINSON, hereby certify as follows:

1. I am the Chief Technology Officer for M Corp dba 11:59 (“Plaintiff” and/or “11:59”) and have been in this role since January 2024. As Chief Technology Officer, I am responsible for guiding 11:59’s technical direction and investments, directing solution development, formulating technology go-to-market strategy, and overseeing implementation services in the realms of cloud computing, cybersecurity, application development and data analytics. Sheridan directly reported to me in his role as Vice President of Data Analytics during his 11:59 employment.

2. I submit this certification in further support of 11:59’s application for a preliminary injunction and temporary restraining order against 11:59’s former employee, Defendant Joseph Bradley Sheridan (“Sheridan”), and Sheridan’s new employer Infinitive, Inc. (“Infinitive”) (Sheridan and Infinitive together referred to herein as “Defendants”). I am fully familiar with the facts set forth herein except where otherwise stated (*i.e.*, citing to the October 28, 2024 Supplemental Certification of Stacy Landau, Esq. (“Supp. Landau Cert.”) or October 28, 2024

















Supplemental Certification of Steve Hilary (“Supp. Hilary Cert.”), filed along with this Certification).

3. As described in the Verified Complaint, 11:59’s investigation had already revealed significant wrongdoing by Defendants Sheridan and Infinitive. However, since the filing of the Verified Complaint, 11:59 has learned additional extremely concerning information about the extent of Sheridan’s taking and using of 11:59’s information after his separation from 11:59 (on September 6, 2024). We learned this information by virtue of our receipt of certain contents of Sheridan’s Google Drive, which as will be described in more detail below, purports to contain 11:59’s proprietary work product Sheridan took and retained after his separation from 11:59.

Timeline of Receipt and Analysis of Sheridan’s Google Drive Contents, Collected by his Attorneys

4. On Monday, October 14, 2024, at 3:29 p.m., 11:59’s attorneys received an iManage Share notification providing a link to a folder named “Google Drive Files.” Sheridan’s attorneys represented that the “Google Drive Files” link would permit access to a password protected folder containing 11:59’s confidential information that Sheridan stored and/or accessed in his personal Google Drive after his resignation from 11:59. *See Supp. Landau Cert.*, ¶ 3.

5. Shortly thereafter, through the link provided, 11:59’s attorneys were able to access and download the Google Drive Files in the form of a Zip file. The Zip file contained approximately 4 Gigabytes of data (1,700+ files) comprised of the following folder and file listing:

 AWS Project J	 AWS ER service	 AWS FuzzySearchDDB
 Blockchain	 Certs	 Code Samples
 Databricks	 OnBoarding	 Performance Mgmt
 Strategy	 WhenLeave	 2024 Accomplishments.docx
 Business Requirements Document Template.do...	 DaaS.pptx	 Data Strategy.pptx
 System Design Document Template.docx		

Id., ¶ 4.

6. By the next morning, on Tuesday, October 15, 2024, 11:59's attorneys provided the Google Drive Files' Zip file via secure link to 11:59 and Maragell for analysis. *Id.*, ¶ 5.

7. I along with my colleague began review of the Google Drive Files Zip file soon after. We wanted to understand the extent of Defendant Sheridan and potentially Defendant Infinitive's possession of 11:59's information.

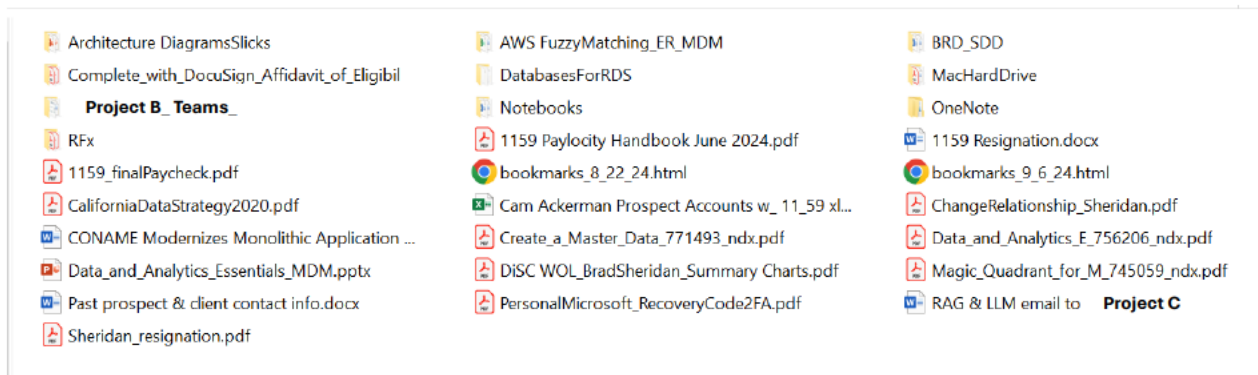
8. Due to the voluminous size of the Google Drive Files, 11:59 was unable to complete its review of the files prior to October 15, 2024, when 11:59's attorneys caused to be filed a Verified Complaint and Order to Show Cause seeking Temporary Restraints and supporting documents. *Id.*, ¶¶ 6-7.

9. After the filing of the Verified Complaint described in Paragraph 8 above, 11:59 continued its review of Sheridan's Google Drive Files and identified additional significant and concerning 11:59 confidential, proprietary and trade secret information that Sheridan took and retained. 11:59 was not previously aware that Sheridan had taken this extent of information related to Projects A-D, or Company D or E, as described in the Verified Complaint.¹ Nor was 11:59 aware that Sheridan took information for business unrelated to 11:59's Databricks partnership and related to projects for which Sheridan had little to no involvement when he was at 11:59.

10. As mentioned above, 11:59 had both Sheridan's 11:59 computer and the Google Drive files analyzed by a forensic expert. The declarations of Steve Hilary provide additional support demonstrating Sheridan's misappropriation of 11:59's data. I am also confirming that the files and folders referenced in Mr. Hilary's declaration refer to 11:59 clients.

¹ As stated in footnote 2 to the Verified Complaint, out of concern to avoid further damage to 11:59's client relationships, we have avoided publicly listing the clients at issue. The Verified Complaint and all certifications submitted in support of 11:59's application for a TRO and Preliminary Injunction use a Confidential Customer Key, which contains the actual names of the 11:59 projects, partners, and companies discussed in the pleadings.

11. First, as shown in Paragraph 4 above, one of the folders contained on Sheridan's Google Drive is entitled "WhenLeave". This folder contains the lion's share of data in Sheridan's Google Drive Files (approximately 3.5 Gigabytes of the 4 total Gigabytes). The WhenLeave folder includes the following subfolders and files:



12. The documents contained in the WhenLeave folder are some of 11:59's most valuable confidential, proprietary and trade secret information. The contents relate to 11:59's current projects and projects in its pipeline, 11:59's value proposition and marketing documents, 11:59 employee and client contact lists, and more. In the hands of a competitor like Infinitive, this information would provide enormous value and allow Infinitive to unfairly compete with 11:59 and interfere with 11:59's client relationships.

13. The contents of the WhenLeave folder in Sheridan's Google Drive relate to, among other things, Projects A, B, and C, clearly some of Sheridan's top targets to steal from 11:59 as discussed in the Verified Complaint at length. Related to Project B, for example, the WhenLeave folder contains documents in a subfolder entitled "September", including 11:59's Statement of Work (dated August 27, 2024), Pricing Options Schedule and a file entitled, "[Project B]AA

Lakehouse Tasks – Infinitive.”² The Pricing Options schedule contains three tabs. One tab, entitled “1159 Lkhs Summ SOW” contains 11:59’s estimates of hours it will expend for each task involved in this project, 11:59’s business value for each step, and the deliverables that will be provided in each step. The second tab contains the estimated hours to be expended for each phase of the project by Company D. The third tab contains the hours that 11:59 and Company D would cumulatively expend for each phase of the project and when the deliverables would be completed. A competitor in possession of this information would only need to know 11:59 and Company D’s hourly rate, which Sheridan knows (only by virtue of his position at 11:59), in order to undercut 11:59’s pricing and value proposition to lure away this work.

14. Also in the WhenLeave folder is the most blatant evidence that Sheridan accessed and used 11:59’s confidential data for Infinitive’s benefit - 11:59’s Statement of Work for Project B (entitled “Copy of [Project B] Lakehouse Pricing Option ScheduleLB”) is saved alongside an identical document except that “11:59” within the document is replaced with “Infinitive” (document entitled “[Project B] Lakehouse Tasks – Infinitive”).

15. The 11:59 file Sheridan converted for Infinitive entitled “[Project B] Lakehouse Tasks – Infinitive” was accessed on Sheridan’s 11:59 issued MacBook computer on September 11, 2024, after Sheridan began his employment with Infinitive. *See* Supp. Hilary Cert. at ¶ 17.

16. Sheridan took additional valuable 11:59 confidential information in the WhenLeave folder. In a subfolder entitled “OneNote”, Sheridan retained detailed 11:59 client related

² Due to the voluminous and highly confidential and proprietary nature of the documents contained in the Google Drive folders described herein, 11:59 has not appended copies of those documents to this certification. Should the Court wish to review these records directly, 11:59 can provide them *in camera* or filed under seal, provided the confidentiality of the documents is protected and they are designated as “Attorney’s Eyes Only” with respect to Infinitive’s receipt of same.

information in 18 subfolders corresponding to 11:59 clients or prospective clients, including but not limited to:

- a. The Project A subfolder which contains 14 files of detailed project notes dated between May 31, 2024 and August 8, 2024.
- b. The Project B subfolder which contains 12 files of detailed notes, the most recent of which is dated August 9, 2024.
- c. The Project K subfolder which contains notes dated August 16, 2024.
- d. The Company D subfolder which contains a document entitled “Data Strategy ideas for [Company D VP]” and meeting notes dated July 26, 2024.
- e. The Project L subfolder,³ which contains notes dated August 8 and 12, 2024.
- f. Most of the remaining subfolders also contain detailed notes related to 11:59 clients and projects.

17. It appears to me as if Sheridan took these notes so he could pick up right where he left off on these 11:59 projects when he got to Infinitive, using 11:59’s proprietary information and documents.

“Projects” Folder on Sheridan’s Google Drive

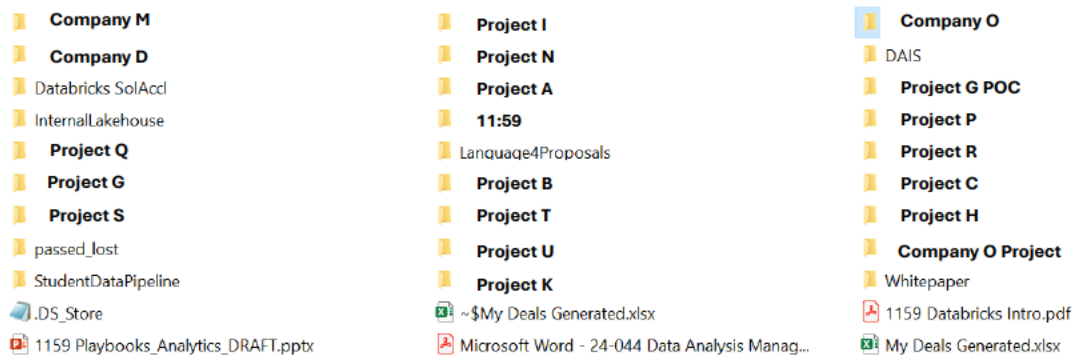
18. Also in the WhenLeave folder is a subfolder entitled MacHardDrive within which resides another subfolder entitled “Projects.”

³ Prior to Sheridan’s departure from 11:59, Project L requested additional information from 11:59 and to increase 11:59’s scope and price for this project. However, after Sheridan’s separation from 11:59, Project L abruptly ceased contact with 11:59. I believe this is because Sheridan took 11:59’s information related to this project and used it to service this client on behalf of Infinitive. Sheridan likely convinced Project L not to work with 11:59 by disparaging 11:59 to this client, given that is the approach Sheridan took with other clients.

*The “11:59 Employee” folder is coded to protect the name of a specific 11:59 employee whose information Sheridan took and retained in that folder.

19. On September 11, 2024, a folder named “Projects” was accessed on Sheridan’s Google Drive on his 11:59 issued MacBook. *See* Supp. Hilary Cert. ¶ 9(c).

20. It appears as if the Projects folder referenced in Paragraph 18 above is the same Projects folder Sheridan accessed on his 11:59 computer on September 11, 2024. The Projects folder contains 27 subfolders mostly with titles related to 11:59 clients as well as many key documents, the contents of which I will detail below. There is at least some of 11:59’s proprietary data in almost all the subfolders.



21. In the Project B subfolder within the Projects folder, for example, there are 18 files including 11:59’s NDA with Project B, multiple versions of 11:59’s pricing schedule and Statement of Work and multiple drafts of Project B’s enterprise development strategy for 2025. Enterprise development strategy is 11:59’s long term software strategy. It shows what 11:59 will do in the initial phases of a project and how that will affect latter stages as well as the overall enterprise goals. The strategy documents also lay out further cost need (which is revenue to 11:59) and work from the client.

22. The entity related to Project C has a subfolder containing four additional subfolders related to four different projects for this entity. The subfolder named Project C contains among other things 11:59’s introductory presentation to Project C outlining the company’s capabilities,

team members, and other related information; 11:59's 42 slide PowerPoint presentation to Project C labeled "All Rights Reserved. Private and Confidential © 2023" outlining the company's background, approach and detailed strategic vision for the project.

23. The Project K folder contains 11:59's proposal information, pricing and project implementation timeline.

24. There is also a document on Sheridan's Google Drive entitled "First Day" which appears to relate to tasks Sheridan planned to complete on his first day at Infinitive. Among other things, this document contains a list of "Opportunities" including Projects A, B, and C. For one project related to the entity for whom Project C is being completed, Sheridan notes, "1159 currently writing response."

25. As if this were not bad enough, we found in the Google Drive Files, a significant amount of other 11:59 sensitive information and documents, which far exceeds the scope of projects and information we have previously been aware that Sheridan took and retained from 11:59:

- a. 11:59 Responses to Requests for Proposals ("RFP") including pricing and contract terms
- b. 11:59's Statements of Work ("SOW") for example:
 - i. Projects A, B, and Project K
- c. 11:59 proposals including for example:
 - i. 1159's Scope and Pricing Estimate for Project L dated August 22, 2024
(the day of Sheridan's resignation from 11:59)
 - ii. 11:59's proposal to Project C dated August 13, 2024
 - iii. Project C related Draft proposal

- d. “11:59 Data Analytics Playbook” 21 slide PowerPoint presentation labeled “Internal Use Only”. The purpose of this document is to “align and coordinate 11:59 stakeholders” and “help[] posture our team strategically and proactively”. The document explains how 11:59 team members should carry out their work, including “who does what and when.” The deck provides a detailed description of how 11:59 should pursue different types of business opportunities, associated risks, how to mitigate those risks, and the metrics to measure the success of such efforts.

26. The value of the information described above to a competitor is self-evident. Much of the 11:59 confidential information described herein is extremely valuable to 11:59 due to the significant investment 11:59 made into creating it and its relation to projects in 11:59’s sales pipeline (the sales process for which can last 12-18 months). A competitor leveraging this information could cause catastrophic damage to 11:59.

27. In addition to the 11:59 confidential, proprietary and trade secret information described above, there is yet more significant information that Sheridan took and retained.

28. Specifically, Sheridan took and retained 11:59’s information related to three particular projects which 11:59’s investigation also had not uncovered prior to the filing of the Verified Complaint. I will refer to these projects as Projects G, H, and I.

29. Project G is relevant to 11:59’s current work with Project O. 11:59 designed this solution from scratch at great expense, as no standard previously existed. The project is a currently active bid in partnership with Amazon Web Services (“AWS”), another of 11:59’s partners. Relevant to Project G. Upon reviewing the WhenLeave folder on Sheridan’s Google Drive, 11:59 discovered that he took and retained:

- a. A document entitled, “DynamoDB_design_draft.docx,” which contains a copy of 11:59’s proprietary database design and code 11:59 used to create a proof of concept (“POC”) for an Immunization Information System (IIS). Development of this POC included a significant financial investment by 11:59 including the use of internal resources, engaging outside development firms to create the code, conducting internal reviews, working with 11:59’s AWS partner and several outside entities.
- b. Multiple additional files containing 11:59’s code;
- c. “Fuzzy Architecture” file containing Architecture diagrams showing the overall design of the system and the components used to build the system;
- d. “Deployment Instructions (5).pdf” walks step by step with the corresponding code on how to move 11:59’s code into a live environment;
- e. The subfolder: lambdacode.zip includes additional files containing 11:59’s proprietary information including:
 - i. Email titled “RE_[Project G] POC-[Project G Scope].pdf”, which is a copy of an email specific to this POC. The email walks through in detail the sizing requirements, details of the logic of the system, and provides details that would not be available to competitors and would therefore be extremely valuable to competitors to gain a competitive advantage; and
 - ii. “Meeting Recording -Matching Solution Demo.mp4”, which contains a full recording of the application that 11:59 built that walk through the

screens, how the patients are matched, and identifies the portion of the POC which will need to be revised.

30. Project H is another active 11:59 project opportunity in 11:59's pipeline. This project is not related to 11:59's partnership with Databricks. 11:59 has developed the only system it is aware of in this space for another client, which 11:59 can leverage to provide a similar solution for other similar entities including Project H. Related to Project H, Sheridan took and retained in his Google Drive a file entitled, "Data migration draft for [Project H] RFP (39).docx" which contains 11:59's portion of its Request for Proposal response, speaking to how 11:59 would carry out the data migration required for this project.

31. Project I is a database schema 11:59 developed. It is related to millions of dollars of ongoing maintenance and operations work. The System Design document that Sheridan took in his Google Drive sets forth exactly what the database does. The architectural diagrams Sheridan took demonstrate exactly how the data and data systems work. A competitor could use this information to falsely demonstrate it possesses the know-how to do this type of work as well as the maintenance and operations needed to maintain the work for years going forward. It would eliminate the need for the competitor to invest the time or resources to acquire this know-how and then, with less overhead, undercut 11:59 on cost.

32. Most or all of the documents discussed above Sheridan took from 11:59 and stored in his Google Drive resided on 11:59's Sharepoint system or in the 11:59 Github private code repository. There are very few people with privileged access to these areas. As a VP, Sheridan had the highest level of access. Because of their sensitive nature, many of these documents are only accessible to about 10-15 employees on a need-to-know basis, and as a VP, Sheridan was one of those trusted few employees.

33. Of additional note, Sheridan also took in the Projects folder “Language4 Proposals” which contains language from 11:59’s proposals/RFP efforts and “Whitepaper” which contains a whitepaper describing 11:59’s work on a Company O project as well as code, database structures, and an ETL plan (extract, transform, load) which describes how data is standardized and cleaned so it can be utilized.

The Value of the Information Sheridan Took from 11:59

34. To the extent that Sheridan tries to claim that any of the above detailed information he took is stale, that would be inaccurate as described above it relates to projects that that are in the active 11:59 sales pipeline and much of it has recent dates. Moreover, it defies logic that Sheridan would take information from 11:59 that would not be valuable to him (and Infinitive), in a folder specifically labelled to relate to his departure from 11:59 to Infinitive.

35. The information Sheridan took is so significant in total that its value is immeasurable. It is 11:59’s “secret sauce” developed over a long period of time and at significant expense. The files contain 11:59’s proprietary, non-public, confidential and business sensitive information, which would be beneficial and of significant value to a competitor like Infinitive in competing against 11:59.

36. Much of this information relates to largely untapped markets, in which 11:59 has a competitive edge, that could easily yield hundreds of millions of dollars in downstream revenue to 11:59.

37. The value of 11:59’s information to Infinitive is even more significant given in many cases (such as in relation to Projects G and H), Infinitive does not have the expertise that 11:59 has. Therefore, having 11:59’s information would allow Infinitive to cut out any lead time

to enter into specialty areas to compete with 11:59. Infinitive would not be able to do so without 11:59's information.

38. I understand that Sheridan claims he has not accessed much of 11:59's confidential information and work product that he took and stored on his personal Google Drive. Given the evidence that he did in fact access some of the information post separation coupled with the extent of Sheridan's dishonesty that has already been uncovered, I have doubts that Sheridan is being truthful here. However, even if there is any truth to Sheridan's representation, the only reason why Sheridan did not access some of 11:59's information after his separation from 11:59 is because we uncovered Sheridan's plan before he could fully carry it out.

39. For these reasons and along with 11:59's Verified Complaint, I ask that the Court provide the requested relief to protect 11:59 from any further irreparable harm.

40. Our review of the contents of the Google Drive Files is ongoing.

I certify that the foregoing statements made by me are true and correct to the best of my knowledge. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

By: _____

Tim Collinson

Dated: October 28, 2024